

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

PART 180
PODIATRIC MEDICINE AND SURGERY

***** 333.18001 THIS SECTION IS AMENDED EFFECTIVE MARCH 22, 2017: See 333.18001.amended

333.18001 Definitions; principles of construction.

Sec. 18001. (1) As used in this part:

(a) "Podiatrist" means a physician and surgeon licensed under this article to engage in the practice of podiatric medicine and surgery.

(b) "Practice as a physician's assistant" means the practice of medicine, osteopathic medicine and surgery, and podiatric medicine and surgery under the supervision of a physician or podiatrist licensed under this article.

(c) "Practice of podiatric medicine and surgery" means the examination, diagnosis, and treatment of abnormal nails, superficial excrescences occurring on the human hands and feet, including corns, warts, callosities, and bunions, and arch troubles or the treatment medically, surgically, mechanically, or by physiotherapy of ailments of human feet or ankles as they affect the condition of the feet. It does not include amputation of human feet, or the use or administration of anesthetics other than local.

(d) "Supervision" means that term as defined under section 16109 except that it includes the existence of a predetermined plan for emergency situations including, but not limited to, the designation of a podiatrist to supervise a physician's assistant in the absence of the primary supervising podiatrist.

(e) "Task force" means the joint task force created in section 17025.

(2) In addition to the definitions in this part, article 1 contains general definitions and principles of construction applicable to all articles in this code and part 161 contains definitions applicable to this part.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 2006, Act 161, Eff. Nov. 26, 2006.

Compiler's note: For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

Popular name: Act 368

***** 333.18001.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 22, 2017 *****

333.18001.amended Definitions; principles of construction.

Sec. 18001. (1) As used in this part:

(a) "Medical care services" means those services within the scope of practice of podiatrists licensed by the board, except those services that the board prohibits or otherwise restricts within a practice agreement or determines shall not be delegated by a podiatrist without endangering the health and safety of patients as provided for in section 18048.

(b) "Participating podiatrist" means a podiatrist or a podiatrist designated by a group of podiatrists under section 18049 to represent that group.

(c) "Podiatrist" means a physician and surgeon licensed under this article to engage in the practice of podiatric medicine and surgery.

(d) "Practice agreement" means an agreement described in section 18047.

(e) "Practice as a physician's assistant" means the practice of podiatric medicine and surgery with a participating podiatrist under a practice agreement.

(f) "Practice of podiatric medicine and surgery" means the examination, diagnosis, and treatment of abnormal nails, superficial excrescences occurring on the human hands and feet, including corns, warts, callosities, and bunions, and arch troubles or the treatment medically, surgically, mechanically, or by physiotherapy of ailments of human feet or ankles as they affect the condition of the feet. It does not include amputation of human feet, or the use or administration of anesthetics other than local.

(g) "Task force" means the joint task force created in section 17025.

(2) In addition to the definitions in this part, article 1 contains general definitions and principles of construction applicable to all articles in this code and part 161 contains definitions applicable to this part.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 2006, Act 161, Eff. Nov. 26, 2006;—Am. 2016, Act 379, Eff. Mar. 22, 2017.

Compiler's note: For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws. Rendered Friday, February 17, 2017

Popular name: Act 368

333.18008 Physician's assistant; health profession subfield.

Sec. 18008. Practice as a physician's assistant is a health profession subfield of the practice of podiatric medicine and surgery, the practice of osteopathic medicine and surgery, and the practice of medicine.

History: Add. 2006, Act 161, Eff. Nov. 26, 2006.

Popular name: Act 368

333.18011 Practice of podiatric medicine and surgery or as physician's assistant; license or authorization required; use of words, titles, or letters.

Sec. 18011. (1) A person shall not engage in the practice of podiatric medicine and surgery or practice as a physician's assistant unless licensed or otherwise authorized by this article.

(2) The following words, titles, or letters or a combination thereof, with or without qualifying words or phrases, are restricted in use only to those persons authorized under this part to use the terms and in a way prescribed in this part: "chiropodist", "chiropody", "chiropodical", "podiatry", "podiatrist", "podiatric", "doctor of podiatric medicine", "foot specialist", "podiatric physician and surgeon", and "d.p.m.".

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 2006, Act 161, Eff. Nov. 26, 2006;—Am. 2006, Act 391, Imd. Eff. Sept. 27, 2006

Popular name: Act 368

333.18012 Postgraduate podiatric study; full or limited license required; requirements of limited license; responsibility for training; limited license renewable.

Sec. 18012. (1) An individual shall not engage in postgraduate podiatric study in podiatric medicine and surgery, including the practice of podiatric medicine and surgery, before obtaining a full or limited license to practice under this part.

(2) A limited license for a postgraduate shall require that the individual confine his or her practice and training to a hospital, institution, or preceptorship program approved by the board for the training. The hospital, institution, or preceptorship program is responsible for the training. A limited license for a postgraduate is renewable for not more than 5 years.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1985, Act 31, Imd. Eff. June 12, 1985.

Popular name: Act 368

***** 333.18021 THIS SECTION IS AMENDED EFFECTIVE MARCH 22, 2017: See 333.18021.amended *****

333.18021 Michigan board of podiatric medicine and surgery; creation; membership; terms.

Sec. 18021. (1) The Michigan board of podiatric medicine and surgery is created in the department and shall consist of the following 9 voting members who shall meet the requirements of part 161: 5 podiatrists, 1 physician's assistant, and 3 public members.

(2) The board of podiatric medicine and surgery does not have the powers and duties vested in the task force by sections 17060 to 17084.

(3) The terms of office of individual members of the board created under this section, except those appointed to fill vacancies, expire 4 years after appointment on June 30 of the year in which the term expires.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1993, Act 79, Eff. Apr. 1, 1994;—Am. 2006, Act 161, Eff. Nov. 26, 2006;—Am. 2006, Act 391, Imd. Eff. Sept. 27, 2006.

Popular name: Act 368

***** 333.18021.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 22, 2017 *****

333.18021.amended Michigan board of podiatric medicine and surgery; creation; membership; terms.

Sec. 18021. (1) The Michigan board of podiatric medicine and surgery is created in the department and consists of the following 9 voting members who shall meet the requirements of part 161: 5 podiatrists, 1 physician's assistant, and 3 public members.

(2) Except as otherwise provided in this article, the board of podiatric medicine and surgery does not have the powers and duties vested in the task force by sections 17060 to 17084.

(3) The terms of office of individual members of the board created under this section, except those appointed to fill vacancies, expire 4 years after appointment on June 30 of the year in which the term expires.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1993, Act 79, Eff. Apr. 1, 1994;—Am. 2006, Act 161, Eff. Nov. 26, 2006;—Am. 2006, Act 391, Imd. Eff. Sept. 27, 2006;—Am. 2016, Act 379, Eff. Mar. 22, 2017.

Popular name: Act 368

333.18031 Condition for more than limited licensure.

Sec. 18031. An applicant, in addition to completing the requirements for the degree as a doctor of podiatric medicine, shall complete a period of postgraduate education to attain proficiency in the practice of the profession as prescribed by the board in rule as a condition for more than limited licensure.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.18033 Renewal of license; evidence required; completion of hours or courses in pain and symptom management as continuing education; rules.

Sec. 18033. (1) Notwithstanding the requirements of part 161, the board may require a licensee seeking renewal of a license to furnish the board with satisfactory evidence that during the 3 years immediately preceding application for renewal the licensee has attended continuing education courses or programs approved by the board and totaling not less than 150 hours in subjects related to the practice of podiatric medicine and surgery and designed to further educate licensees.

(2) As required under section 16204, the board shall promulgate rules requiring each applicant for license renewal to complete as part of the continuing education requirement of subsection (1) an appropriate number of hours or courses in pain and symptom management.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1978, Act 625, Imd. Eff. Jan. 6, 1979;—Am. 1986, Act 290, Imd. Eff. Dec. 22, 1986;—Am. 1994, Act 234, Imd. Eff. June 30, 1994.

Popular name: Act 368

***** 333.18047.added THIS ADDED SECTION IS EFFECTIVE MARCH 22, 2017 *****

333.18047.added Practice as physician's assistant; practice agreement; requirements.

Sec. 18047. (1) A physician's assistant shall not engage in the practice as a physician's assistant except under the terms of a practice agreement that meets the requirements of this section.

(2) A practice agreement must include all of the following:

(a) A process between the physician's assistant and participating podiatrist for communication, availability, and decision making when providing medical treatment to a patient. The process must utilize the knowledge and skills of the physician's assistant and participating podiatrist based on their education, training, and experience.

(b) A protocol for designating an alternative podiatrist for consultation in situations in which the participating podiatrist is not available for consultation.

(c) The signature of the physician's assistant and the participating podiatrist.

(d) A termination provision that allows the physician's assistant or participating podiatrist to terminate the practice agreement by providing written notice at least 30 days before the date of termination.

(e) Subject to section 18048, the duties and responsibilities of the physician's assistant and participating podiatrist. The practice agreement shall not include as a duty or responsibility of the physician's assistant or participating podiatrist an act, task, or function that the physician's assistant or participating podiatrist is not qualified to perform by education, training, or experience and that is not within the scope of the license held by the physician's assistant or participating podiatrist.

(f) A requirement that the participating podiatrist verify the physician's assistant's credentials.

(3) The number of physician's assistants in a practice agreement with a participating podiatrist and the number of individuals to whom a podiatrist has delegated the authority to perform acts, tasks, or functions are subject to section 16221.

History: Add. 2016, Act 379, Eff. Mar. 22, 2017.

Popular name: Act 368

***** 333.18048 THIS SECTION IS AMENDED EFFECTIVE MARCH 22, 2017: See 333.18048.amended *****

333.18048 Supervision of physician's assistants by podiatrist; limitation.

Sec. 18048. (1) Except as otherwise provided in this section and section 18049(5), a podiatrist who is a sole practitioner or who practices in a group of podiatrists and treats patients on an outpatient basis shall not supervise more than 4 physician's assistants. If a podiatrist described in this subsection supervises physician's

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assistants at more than 1 practice site, the podiatrist shall not supervise more than 2 physician's assistants by a method other than the podiatrist's actual physical presence at the practice site.

(2) A podiatrist who is employed by or under contract or subcontract to or has privileges at a health facility licensed under article 17 may supervise more than 4 physician's assistants at the health facility or agency.

(3) The department may promulgate rules for the appropriate delegation and utilization of a physician's assistant by a podiatrist, including, but not limited to, rules to prohibit or otherwise restrict the delegation of certain podiatric services or require higher levels of supervision if the board determines that these services require extensive training, education, or ability or pose serious risks to the health or safety of patients.

History: Add. 2006, Act 161, Eff. Nov. 26, 2006;—Am. 2011, Act 210, Imd. Eff. Nov. 8, 2011.

Popular name: Act 368

***** 333.18048.amended *THIS AMENDED SECTION IS EFFECTIVE MARCH 22, 2017* *****

333.18048.amended Prohibiting or restricting delegation of medical care service; requiring higher levels of supervision.

Sec. 18048. Except for a medical care service within a practice agreement, to the extent that a particular selected medical care service requires extensive training, education, or ability or poses serious risks to the health or safety of patients, the board may prohibit or otherwise restrict the delegation of that medical care service or may require higher levels of supervision. To the extent that a particular medical care service requires extensive training, education, or ability or poses serious risks to the health or safety of patients, the board may prohibit or otherwise restrict that medical care service within a practice agreement.

History: Add. 2006, Act 161, Eff. Nov. 26, 2006;—Am. 2011, Act 210, Imd. Eff. Nov. 8, 2011;—Am. 2016, Act 379, Eff. Mar. 22, 2017.

Popular name: Act 368

***** 333.18049 *THIS SECTION IS AMENDED EFFECTIVE MARCH 22, 2017: See 333.18049.amended*

333.18049 Supervision of physician's assistant by podiatrist; responsibilities; delegation of services; record; designation.

Sec. 18049. (1) In addition to the other requirements of this section and subject to subsection (5), a podiatrist who supervises a physician's assistant is responsible for all of the following:

- (a) Verification of the physician's assistant's credentials.
- (b) Evaluation of the physician's assistant's performance.
- (c) Monitoring the physician's assistant's practice and provision of podiatric services.

(2) Subject to section 16215 or 18048, as applicable, a podiatrist who supervises a physician's assistant may only delegate to the physician's assistant the performance of podiatric services for a patient who is under the case management responsibility of the podiatrist, if the delegation is consistent with the physician's assistant's training. A podiatrist shall only supervise a physician's assistant in the performance of those duties included within his or her scope of practice.

(3) A podiatrist who supervises a physician's assistant is responsible for the clinical supervision of each physician's assistant to whom the physician delegates the performance of podiatric services under subsection (2).

(4) Subject to subsection (5), a podiatrist who supervises a physician's assistant shall keep on file in the physician's office or in the health facility or agency in which the podiatrist supervises the physician's assistant a permanent, written record that includes the podiatrist's name and license number and the name and license number of each physician's assistant supervised by the podiatrist.

(5) A group of podiatrists practicing other than as sole practitioners may designate 1 or more podiatrists in the group to fulfill the requirements of subsections (1) and (4).

History: Add. 2006, Act 161, Eff. Nov. 26, 2006;—Am. 2011, Act 210, Imd. Eff. Nov. 8, 2011.

Popular name: Act 368

***** 333.18049.amended *THIS AMENDED SECTION IS EFFECTIVE MARCH 22, 2017* *****

333.18049.amended Practice agreement; designation of podiatrist; countersigning order or signing official form not required.

Sec. 18049. (1) A group of podiatrists practicing other than as sole practitioners may designate 1 or more podiatrists in the group to enter into a practice agreement under section 18047.

(2) Notwithstanding any law or rule to the contrary, a podiatrist is not required to countersign orders written in a patient's clinical record by a physician's assistant with whom the podiatrist has a practice agreement. Notwithstanding any law or rule to the contrary, a podiatrist is not required to sign an official form that lists the podiatrist's signature as the required signatory if that official form is signed by a physician's assistant with whom the podiatrist has a practice agreement.

History: Add. 2006, Act 161, Eff. Nov. 26, 2006;—Am. 2011, Act 210, Imd. Eff. Nov. 8, 2011;—Am. 2016, Act 379, Eff. Mar. 22, 2017.

Popular name: Act 368

***** 333.18050 THIS SECTION IS AMENDED EFFECTIVE MARCH 22, 2017: See 333.18050.amended *****

333.18050 Podiatrist prohibited from supervising physician's assistant; grounds.

Sec. 18050. In addition to its other powers and duties under this article, the board may prohibit a podiatrist from supervising 1 or more physician's assistants for any of the grounds set forth in section 16221 or for failure to supervise a physician's assistant in accordance with this part and rules promulgated under this part.

History: Add. 2006, Act 161, Eff. Nov. 26, 2006.

Popular name: Act 368

***** 333.18050.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 22, 2017 *****

333.18050.amended Prohibiting podiatrist or physician's assistant from entering practice agreement; grounds; rules concerning prescribing of drugs.

Sec. 18050. (1) In addition to its other powers and duties under this article, the board may prohibit a podiatrist or a physician's assistant from entering into a practice agreement for any of the grounds set forth in section 16221.

(2) For purposes of section 18051, the department, in consultation with the board, may promulgate rules concerning the prescribing of drugs by a physician's assistant. Subject to section 18051, the rules may define the drugs or classes of drugs that a physician's assistant may not prescribe and other procedures and protocols necessary to promote consistency with federal and state drug control and enforcement laws.

History: Add. 2006, Act 161, Eff. Nov. 26, 2006;—Am. 2016, Act 379, Eff. Mar. 22, 2017.

Popular name: Act 368

***** 333.18051.added THIS ADDED SECTION IS EFFECTIVE MARCH 22, 2017 *****

333.18051.added Physician's assistant; making calls or going on rounds; prescribing drug; ordering, receiving, and dispensing complimentary starter dose drugs.

Sec. 18051. (1) A physician's assistant may make calls or go on rounds in private homes, public institutions, emergency vehicles, ambulatory care clinics, hospitals, intermediate or extended care facilities, health maintenance organizations, nursing homes, or other health care facilities in accordance with a practice agreement. Notwithstanding any law or rule to the contrary, a physician's assistant may make calls or go on rounds as provided in this subsection without restrictions on the time or frequency of visits by a podiatrist or the physician's assistant.

(2) A physician's assistant who is a party to a practice agreement may prescribe a drug in accordance with procedures and protocols for the prescription established by rule of the department in consultation with the appropriate board. A physician's assistant may prescribe a drug, including a controlled substance that is included in schedules 2 to 5 of part 72. If a physician's assistant prescribes a drug under this subsection, the physician's assistant's name shall be used, recorded, or otherwise indicated in connection with that prescription. If a physician's assistant prescribes a drug under this subsection that is included in schedules 2 to 5, the physician's assistant's DEA registration number shall be used, recorded, or otherwise indicated in connection with that prescription.

(3) A physician's assistant may order, receive, and dispense complimentary starter dose drugs, including controlled substances that are included in schedules 2 to 5 of part 72. If a physician's assistant orders, receives, or dispenses a complimentary starter dose drug under this subsection, the physician's assistant's name shall be used, recorded, or otherwise indicated in connection with that order, receipt, or dispensing. If a physician's assistant orders, receives, or dispenses a complimentary starter dose drug under this subsection that is included in schedules 2 to 5, the physician's assistant's DEA registration number shall be used, recorded, or otherwise indicated in connection with that order, receipt, or dispensing. As used in this

subsection, "complimentary starter dose" means that term as defined in section 17745. It is the intent of the legislature in enacting this subsection to allow a pharmaceutical manufacturer or wholesale distributor, as those terms are defined in part 177, to distribute complimentary starter dose drugs to a physician's assistant, as described in this subsection, in compliance with section 503(d) of the federal food, drug, and cosmetic act, 21 USC 353.

History: Add. 2016, Act 379, Eff. Mar. 22, 2017.

Popular name: Act 368

333.18054 Approval of physician's assistants and valuation of training programs; criteria.

Sec. 18054. The board shall make written recommendations on criteria for the approval of physician's assistants and on criteria for the valuation of physician's assistants training programs to the task force on physician's assistants.

History: Add. 2006, Act 161, Eff. Nov. 26, 2006.

Popular name: Act 368

333.18056 Applicability of part to student in training.

Sec. 18056. This part does not apply to a student in training to become a physician's assistant while performing duties assigned as part of the training.

History: Add. 2006, Act 161, Eff. Nov. 26, 2006.

Popular name: Act 368

333.18058 Third party reimbursement or worker's compensation benefits not required.

Sec. 18058. This part does not require new or additional third party reimbursement or mandated worker's compensation benefits for services rendered by an individual authorized to practice as a physician's assistant under this part.

History: Add. 2006, Act 161, Eff. Nov. 26, 2006.

Popular name: Act 368